## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF US WEST	
COMMUNICATIONS, INC.'S MOTION FOR ) CASE NO	O. USW-T-00-3
AN ALTERNATIVE PROCEDURE TO )	
MANAGE ITS SECTION 271 APPLICATION. ) NOTICE	THAT REPORT FILED:
) REPORT	ON CHECKLIST
) ITEMS 2.	2, 4, 5, AND 6
) NOTICE	OF DATE FOR
) ORAL AI	RGUMENT

On July 7, 2000, the Commission issued Order No. 28439 approving US WEST Communications, Inc.'s (now Qwest Corporation) Motion for Approval of an Alternative Procedure to manage a Section 271 process. Section 271 of the Telecommunications Act of 1996 (47 U.S.C. § 271) establishes the means for a Bell Operating Company (BOC), which includes Qwest, to begin providing in-region interLATA and interstate telecommunication services. A BOC may enter the interLATA long-distance market once it satisfies the requirements of Section 271. Section 271(c)(2)(B) contains a checklist of 14 items relating to access and interconnection that a BOC must meet in each state where it provides local service. In addition to the 14 item checklist, a BOC must have filed a Statement of Generally Available Terms (SGAT) pursuant to 47 U.S.C. § 252(f), and must be prepared to provide interLATA services through a separate affiliate pursuant to 47 U.S.C. § 272. A BOC may also satisfy Section 271 by providing services to competitors through interconnection agreements. See 47 U.S.C. § 271(c)(1)(A).

In Procedural Order No. 28450, the Commission approved its participation in a multi-state workshop process to develop a record on Qwest's compliance with the Section 271 requirements. Seven participating state commissions retained John Antonuk of Liberty Consulting Group to act as facilitator to coordinate and manage the workshops and prepare reports for filing in each state. The current procedural schedule requires the facilitator to prepare and file five different reports with the Commission, each addressing different parts of the Section 271 requirements.

NOTICE THAT REPORT FILED: REPORT ON CHECKLIST ITEMS 2, 4, 5 AND 6 NOTICE OF DATE FOR ORAL ARGUMENT YOU ARE HEREBY NOTIFIED that pursuant to the procedural schedule adopted by the Commission, the facilitator filed a Report on Checklist Items 2, 4, 5, and 6 on August 20, 2001. Specifically, the report addresses issues associated with the following checklist items:

• Item 2: Unbundled Network Elements (UNEs)

• Item 4: Access to Unbundled Loops

• Item 5: Access to Unbundled Local Transport

• Item 6: Access to Unbundled Local Switching

Also pursuant to the Commission's instructions, the Report sets forth all issues resolved by the parties, and identifies those issues remaining in dispute regarding the relevant checklist items. The Report also includes the facilitator's recommended solution for some disputed issues. Other disputed issues have been deferred to other workshops or proceedings.

YOU ARE FURTHER NOTIFIED that, included as part of the Report is Qwest's revised Statement of Generally Available Terms (SGAT) containing terms by which Qwest will provide access and interconnection to competitive telecommunication providers. The SGAT terms must provide access and interconnection consistent with the checklist items in Section 271(c)(2)(B). The terms for Qwest's SGAT will be modified through the workshop process as issues are resolved by the parties, or ultimately are resolved by the Commission.

YOU ARE FURTHER NOTIFIED, also pursuant to the procedural schedule adopted by the Commission, that parties were provided an opportunity to file briefs, exceptions and comments in response to the Report filed by the facilitator. Exceptions and comments were filed by AT&T Communications of the Mountain States, Inc., Qwest, and the Commission Staff.

YOU ARE FURTHER NOTIFIED that the Commission accepts the Report on Checklist Items 2, 4, 5, and 6 filed by the facilitator on August 20, 2001. **The Commission regards those issues identified in the report as undisputed as fully resolved through the workshop process.** With regard to disputed issues, the Commission notes the filing of comments and exceptions by the parties and will hear an oral argument on the disputed issues to allow the Commission to resolve these disputes.

YOU ARE FURTHER NOTIFIED that the Report on Checklist Items 2, 4, 5 and 6, together with the record compiled by the facilitator, including any testimonies, exhibits,

NOTICE THAT REPORT FILED: REPORT ON CHECKLIST ITEMS 2, 4, 5 AND 6 NOTICE OF DATE FOR ORAL ARGUMENT comments and briefs, are available for public inspection during regular business hours at the Commission office.

## NOTICE OF ORAL ARGUMENT HEARINGS

YOU ARE HEREBY NOTIFIED that the Commission will hear oral argument on the issues that remain in dispute after completion of the workshops conducted by the Facilitator. The Commission has determined to schedule two separate hearings for oral argument. The first hearing will be for oral argument on only the disputed issues regarding the 14 checklist items identified in Section 271 (47 U.S.C. § 271(c)(B)(i)-(xiv)). The second hearing will be for oral argument on the disputed issues regarding Qwest's Statement of Generally Available Terms filed pursuant to Section 252(f), the separate affiliate requirements of Section 272, the extent to which Qwest is providing services to competitors through interconnection agreements (47 U.S.C. § 271(c)(1)(A)), and any other relevant issues not part of the 14 checklist items.

YOU ARE FURTHER NOTIFIED that the Commission will convene a hearing for oral argument in this case on **THURSDAY, SEPTEMBER 27, 2001 AT 9:30 A.M. IN THE COMMISSION HEARING ROOM LOCATED AT 472 W. WASHINGTON STREET, BOISE, IDAHO (208) 334-0300**. This oral argument will be limited to those disputed issues regarding the 14 checklist items in Section 271 (47 U.S.C. § 271(c)(B)(i)-(xiv)) identified by the parties in their exceptions and comments.

YOU ARE FURTHER NOTIFIED that all hearings will be conducted pursuant to the Rules of Procedure adopted by the Idaho Public Utilities Commission. IDAPA 31.01.01.000 *et seq.* 

YOU ARE FURTHER NOTIFIED that all hearings and prehearing conferences in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act. Persons needing the help of a sign language interpreter or other assistance of the kind that the Commission is obligated to provide under the Americans with Disabilities Act in order to participate in or to understand the testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

NOTICE THAT REPORT FILED: REPORT ON CHECKLIST ITEMS 2, 4, 5 AND 6 NOTICE OF DATE FOR ORAL ARGUMENT IDAHO PUBLIC UTILITIES COMMISSION PO BOX 83720 BOISE, IDAHO 83720-0074 (208) 334-0338 (TELEPHONE) (208) 334-3762 (FAX)

DATED at Boise, Idaho, this

day of September 2001.

PAUL KJELLANDER, PRESIDENT

MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Jean D. Jewell
Commission Secretary

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